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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09       UNITED STATES OF AMERICA,    )  
10    ) CASE NO. MJ 16-487  
11       Plaintiff,    )  
12    )  
13       v.    )  
14       JESSE LEE ALLEN,    )  
15    )  
16       Defendant.    )  
17    )  
18    )  
19    )  
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21    )

22       Offense charged:     Production of Child Pornography; Possession of Child Pornography

23       Date of Detention Hearing:   November 21, 2016.

24       The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
25 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
26 that no condition or combination of conditions which defendant can meet will reasonably  
27 assure the appearance of defendant as required and the safety of other persons and the  
28 community.

29    FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

30       1.       Defendant has been charged with an offense involving a victim under the age of

01 18 under 18 U.S.C. §§ 2251(a) and (e), and 2252 (b)(2). There is therefore a rebuttable  
02 presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. §  
03 3142(e).

04 2. There is indication that defendant has suffered suicidal ideation, both related to  
05 previous psychological stressors and in the wake of the instant charges. At the time of arrest, he  
06 was initially uncooperative with police, and after release from state custody is alleged to have  
07 taken actions indicative of an effort to destroy or secrete evidence. A post by defendant on his  
08 Instagram account could be read as an attempt to minimize the seriousness of the offense.  
09 There is some allegation that defendant has attempted to make contact with the victim's mother  
10 through a proxy to convince her to reconcile and drop the charges, although defendant denies  
11 any involvement in this effort.

12 3. Taken as a whole, the record does not effectively rebut the presumption that no  
13 condition or combination of conditions will reasonably assure the appearance of the defendant  
14 as required and the safety of the community.

15 It is therefore ORDERED:

- 16 1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
17 General for confinement in a correction facility separate, to the extent practicable, from  
18 persons awaiting or serving sentences or being held in custody pending appeal;
- 19 2. Defendant shall be afforded reasonable opportunity for private consultation with  
20 counsel;
- 21 3. On order of the United States or on request of an attorney for the Government, the  
22 person in charge of the corrections facility in which defendant is confined shall deliver

01 the defendant to a United States Marshal for the purpose of an appearance in connection  
02 with a court proceeding; and

03 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
04 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
05 Officer.

06 DATED this 21st day of November, 2016.

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09 Mary Alice Theiler  
10 United States Magistrate Judge  
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